

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0744

SENATE STATE AFFAIRS COMMITTEE ENGROSSED NO. **HB1222** - 3/3/97

Introduced by: Representatives Brown (Richard), Broderick, Lucas, Schaunaman, and Wetz
and Senators Olson and Paisley

1 FOR AN ACT ENTITLED, An Act to establish a universal telecommunications service fund.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 There is hereby created in the state treasury a universal service fund. The purpose of the fund
6 is, through cost supports, to provide quality and reliable telecommunications facilities and
7 services at reasonable rates to all South Dakota consumers, including low income individuals and
8 individuals residing in rural and high cost service areas. Every telecommunications company that
9 provides telecommunications services in this state shall contribute, on an equitable and
10 nondiscriminatory basis, to the fund. The commission may exempt a carrier or class of carriers
11 from this requirement if the carrier's telecommunications activities are limited to such an extent
12 that the level of the carrier's contribution to the preservation and advancement of universal
13 service would be minimal. The commission, upon petition of any telecommunications company
14 and a finding of public interest, shall establish when contributions to the fund shall begin.

15 Section 2. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 Money deposited in the universal service fund is continuously appropriated to the
3 commission for the funding of universal telecommunications service. The commission may make
4 deposits into the disbursements from the fund for the purpose of funding universal
5 telecommunications services pursuant to its administrative rules.

6 Section 3. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 The commission may promulgate rules pursuant to chapter 1-26 to administer a universal
9 service fund, to adopt standards for the preservation and advancement of universal service, and
10 to establish procedures for the collection of money for the fund and disbursement of money from
11 the fund.

1 **BILL HISTORY**

2 1/31/97 First read in House and referred to State Affairs. H.J. 242

3 2/10/97 Scheduled for Committee hearing on this date.

4 2/14/97 State Affairs Deferred to another day. H.J. 482

5 2/18/97 State Affairs Do Pass, Passed.

6 2/18/97 State Affairs Do Pass, Passed.

7 2/19/97 Scheduled for Committee hearing on this date.

8 2/19/97 State Affairs Do Pass, Passed, AYES 13, NAYS 0. H.J. 562

9 2/24/97 House of Representatives Placed on Calendar, AYES 68, NAYS 0. H.J. 648

10 2/25/97 House of Representatives Deferred to another day, AYES 65, NAYS 3. H.J. 687

11 2/26/97 House of Representatives Deferred to another day, AYES 65, NAYS 1. H.J. 738

12 2/27/97 House of Representatives Do Pass, Passed, AYES 64, NAYS 3. H.J. 752

13 2/27/97 First read in Senate and referred to State Affairs. S.J. 698

14 3/3/97 Scheduled for Committee hearing on this date.

15 3/3/97 State Affairs Do Pass Amended, Passed, AYES 7, NAYS 0.